



City of Charleston

JOHN J. TECKLENBURG
Mayor

South Carolina
Department of Public Service

LAURA S. CABINESS, PE
Director

PUBLIC WORKS AND UTILITIES COMMITTEE AGENDA

There will be a meeting of the Public Works and Utilities Committee on Tuesday, April 11, 2017 to begin at 3:30 p.m. at 1st Floor Conference Room, 80 Broad Street. The following items will be heard:

A. Invocation

B. Approval of Public Works and Utilities Committee Minutes

February 14, 2017

February 28, 2017

March 14, 2017

March 28, 2017 – *DEFERRED*

C. Request to Set a Public Hearing

None

D. Acceptance and Dedication of Rights-of-Way and Easements

1. **Oakfield Phase 1** - Acceptance and dedication of Elvington Road (50-foot right-of-way [1,308 linear feet]), Toland Court (50-foot right-of-way [306 linear feet]), a portion of Vincent Astor Drive (50 -foot right-of-way [1,641 linear feet]), and a portion of Lanneau Lane (50 -foot right-of-way [467 linear feet]). There are 86 lots. All improvements have been bonded (per PUD Agreement).
 - a. Title to Real Estate
 - b. Affidavit for Taxable or Exempt Transfers
 - c. Plat
 - d. Exclusive Storm Water Drainage Easements
2. **Oakfield Phase 4** - Acceptance and dedication of Gin Bay Road (50-foot right-of-way [559 linear feet]), Gantt Drive (55-foot right-of-way [859 linear feet]), Schwerin Lane (20-foot right-of-way [526 linear feet]), Lily Pond Lane (20-foot right-of-way [491 linear feet]), Valerian Lane (20-foot right-of-way [530 linear feet]), Groghan Avenue (20-foot right-of-way [647 linear feet]), a portion of Shadetree Boulevard (right-of-way varies [2,180 linear feet]), a portion of Mossdale Lane (50-foot right-of-way [627

linear feet]), and a portion of Lochness Lane (50-foot right-of-way [206 linear feet]). There are 61 lots. All improvements have been bonded (per PUD Agreement).

- a. Title to Real Estate
 - b. Affidavit for Taxable or Exempt Transfers
 - c. Plat
 - d. Exclusive Storm Water Drainage Easements
3. A new 18-foot drainage easement on TMS 418-11-00-034 Ashleyville Subdivision.
 - a. Plat

E. Requests for Permanent Encroachments

None

F. Temporary Encroachments Approved By The Department of Public Service (For information only)

1. **129 Brailsford Street** - installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 3/31, 2016.**
2. **1734 Pierce Street** - installing irrigation encroaching into right-of-way and fence encroaching into drainage easement. This encroachment is temporary. **Approved 3/31, 2016.**
3. **236 Gazania Way** – installing 4-foot wood fence encroaching into drainage easement. This encroachment is temporary. **Approved 3/31, 2016.**
4. **2808 Dresser Court** – installing 6-foot wood fence encroaching into drainage easement. This encroachment is temporary. **Approved 3/31, 2016.**
5. **2812 Dresser Court** – installing 6-foot wood fence encroaching into drainage easement. This encroachment is temporary. **Approved 3/31, 2016.**
6. **2816 Dresser Court** – installing 6-foot wood fence encroaching into drainage easement. This encroachment is temporary. **Approved 3/31, 2016.**
7. **3203 Grants Passage Avenue** – installing 6-foot wood fence encroaching into drainage easement. This encroachment is temporary. **Approved 3/31, 2016.**
8. **15 Cross Creek Drive** – installing aluminum covered walkway and replacing existing asphalt with new concrete sidewalk encroaching into drainage easement. This encroachment is temporary. **Approved 3/31, 2016.**

G. Miscellaneous or Other New Business

1. Recommendation for stormwater requirements for re-development projects - ongoing. *DEFERRED*

Councilmember Rodney Williams
Chairperson

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that PULTE HOME COMPANY, LLC. F/K/A PULTE HOME CORPORATION ("Grantor") in the state aforesaid, for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, the following described property which is granted, bargained, sold and released for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, identified as (list street names) Elvington Road, Lanneau Lane, Vincent Astor Drive, and Toland Court

as shown and designated on a plat entitled PLAT SHOWING THE SUBDIVISION OF NEW TRACT A TMS NO. 278-00-00-040 (82.472 ACRES) INTO OAKFIELD PHASE I (44.612 ACRES) (FORMERLY KNOWN AS SHADE TREE) CONTAINING LOTS 1 THROUGH 86 (16.452 AC.), RIGHT-OF-WAYS (4.583 AC.), HOMEOWNERS ASSOCIATION AREAS (23.577 AC.) AND SHOWING RESIDUAL NEW TRACT A (37.860 AC.) PROPERTY OF PULTE HOME COMPANY, LLC. F/K/A PULTE HOME CORPORATION LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA

prepared by HLA, Inc.

dated September 27, 2016, revised _____, and recorded on _____ in Plat Book _____ at Page _____ in the RMC Office for Charleston County. Said property butting and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the SHADE TREE PARTNERS, LLC dated January 8, 2016 and recorded January 12, 2016 in Book 0528 at Page 540 in the RMC Office for Charleston County, South Carolina.

Grantee's Mailing Address:

City of Charleston
Department of Public Service
Engineering Division
2 George Street
Suite 2100
Charleston, South Carolina 29401

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 5 day of January 2017.

SIGNED, SEALED AND DELIVERED

IN THE PRESENCE OF:

Witness Number One

Printed Name _____

Witness Number Two

Printed Name _____

Grantor

Printed Name _____

Name Vice President

STATE OF South Carolina

COUNTY OF Charleston

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by Matthew Rainos, the Vice President of Land Development, a _____, on behalf of the Grantor on the 5 day of January, 2017.

Signature of Notary:

Print Name of Notary:

Notary Public for

My Commission Expires:

SEAL OF NOTARY

RUTHIE DREHER
Notary Public, South Carolina
My Commission Expires
January 23, 2023

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Pulte Home Company, LLC, f/k/a Pulte Home Corporation to CITY OF CHARLESTON on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) ☒ exempt from the deed recording fee because (See Information section of affidavit): #2 (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (B) _____ The fee is computed on the fair market value of the realty which is _____
 - (C) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as GRANTOR.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned ~~not more than one year, or both.~~


Responsible Person Connected with the Transaction

Matthew Raines
Print or Type Name Here Vice President

Sworn this 5 day of January 20 17

Ruthie Dreher
Notary Public for _____

My Commission Expires: _____

RUTHIE DREHER
Notary Public, South Carolina
My Commission Expires
January 23, 2023



CURVE TABLE PAUSE 1: SLODRARY						
CURVE	RADIUS	DELTA	TANGENT	LENGTH	BEARING	CHORD
CI	CI	CI	CI	CI	CI	CI
	1044.36	87.60 49°	138.48	272.48	583.28 48°	272.23
			NOT USED			
	1845.38	131.02 23°	213.41	424.84	544.77 22°	424.00
			NOT USED			
C5	1619.43	77.08 28°	100.56	202.82	1447.33 37°	200.79
C6	25.00	40.37 32°	13.45	24.48	120.01 17°	23.69
C7	160.87	40.37 32°	43.66	83.66	120.01 17°	81.81

REFERENCES

- [illegible]

NOTES

1. BAY NO. 27B-06-06-040.
2. AREA DETERMINED BY THE COORDINATE METHOD.
3. BAY NO. 27A-06-06-038, 040 AND 041 ARE LOCATED IN FLOOD ZONE X WITH A MEAN ELEVATION OF 10.9 FEET ABOVE CHSLOH COMMUNITY PACE. 425413 0480 J. EFFECTIVE 17, 2004.
- THIS NO. 27B-06-06-041 IS LOCATED IN FLOOD ZONE X & SHOWN AS A LOT ON THE MAP. IT IS NOT SEPARATELY OWNED OR DEEDED TO ANY PARTY EFFECTIVE NOVEMBER 17, 2004.
- FLOOD ZONE X HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
- FLOOD ZONE SHADDED X IS DEFINED AS AREAS OF 500-YEAR FLOOD PLAIN WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE. AND AREAS WHICH PROJECTED BY EXCEEDS FROM ONE-HUNDRED YEAR FLOOD.
- THE SURVEY WAS CONDUCTED BY JOHN W. HARRIS, JR., CIVIL ENGINEER. THE SURVEY IS OWNED BY THE PROVIDENT ST. JOHNS WATER COMPANY INC. AND SHALL BE PROVIDED BY CHALMERTON WATER SYSTEM.
- ALL SET PROPERTY CORNERS ARE TO BE 5/8" REBAR.
- SEE THE PHASE I - AN INITIAL LOG NO. 01-033 (0.009 AC, 1.237 SF)
SMALLEST LOT: 01-033 (0.027 AC, 1.237 SF)
- WETLANDS SHOWN PROTECTED BY ECOLOGICAL IMPROVING SERVICES, LLC AND APPROVED BY THE ARMY CORPS OF ENGINEERS DATED FEBRUARY 12, 2018
- ALL WETLANDS SHOWN HAVE BEEN RETAINED TO BE JURISDICTIONAL WETLAND.
- ALL CITY OF CHALMERTON FLOOD DAMAGE PREVENTION SHOWINGS ARE DEDICATED TO THE CITY OF CHALMERTON FOR FLOOD DAMAGE PREVENTION AND MAINTENANCE FACILITIES.
11. THE ACCESS ESTABLISHED SHOWN ARE DEDICATED TO THE CITY OF CHALMERTON FOR ACCESS TO THE STORMWATER MANAGEMENT FACILITY. THE LONG-TERM RESPONSIBILITY FOR MAINTENANCE OF THESE FACILITIES WILL REMAIN WITH THE ASSOCIATION (HOA) AND SHALL BE COMPLETED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF CHALMERTON FOR THE FACILITIES COMPLETED FOR THE SUBDIVISION.
12. THE PRIVATE DRAINAGE CASSEMENTS SHOWN ARE DEDICATED TO THE HOA FOR ACCESS TO AND MAINTENANCE OF THE STORMWATER FACILITIES WHEN THE PRIVATE DRAINAGE CASSEMENTS ARE DEDICATED TO AND OWNED BY A NEIGHBORHOOD HOMEOWNERS ASSOCIATION (HOA).

[illegible]

DEVELOPMENT SUMMARY PRE SUBDIVISION		TMS NO. 278-00-00-040	82.472 ACRES
--	--	-----------------------	--------------

DEVELOPMENT SUMMARY POST SUBDIVISION			
RESIDUAL TRACT A		37.860 ACRES	
RIGHT-OF-WAYS		18.532 ACRES	
MOA #1		13.774 ACRES	
MOA #2		0.982 ACRES	
MOA #3		2.488 ACRES	
MOA #4		0.345 ACRES	
TOTAL		82.472 ACRES	

PLAT SHOWING
THE SUBDIVISION OF NEW TRACT A
TMS NO. 278-00-00-040 (82.472 ACRES)
INTO
OAKFIELD PHASE I (44.612 ACRES)
(FORMERLY KNOWN AS SHADE TREE)
CONTAINING
LOTS 1 THROUGH 86 (16,452 AC.),
RIGHT-OF-WAY'S (4,583 AC.),
AND SHOWING
RESIDUAL NEW TRACT A (37,860 AC.)
PULTE HOME COMPANY, LLC, *dba*
PULTE HOME CORPORATION

SEE SHEETS 2, 3 & 4 FOR
DETAIL OF PHASE I

BY THE RECORDING OF THIS PLAT AND UPON THE APPROVAL AND ACCEPTANCE BY THE CITY COUNCIL OF CHARLESTON, I HEREBY DEDICATE ALL ROADS, ROAD RIGHTS-OF-WAY AND EASEMENTS TO THE USE OF THE PUBLIC FOREVER.

OWNER/REPRESENTATIVE:
PULTE HOME COMPANY, LLC, s/k/a
PULTE HOME CORPORATION

HLA INC.
LAND PLANNING LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING SURVEYING

29 Leibniz Drive, A2, Charleston SC 29407-4988
tel: 843/763.1166 fax: 843/763.1999 web: www.hla-inc.com

00079 2004 AST1 - FIVE M - 6H A P 00079 70



LOCATION MAP
NOT TO SCALE

SEE SHEET 4 FOR CURVE AND LINE TABLES

LEGEND

- CH _____ BOUNDARY LINE & 4' x 4' CONC. MONUMENT
SP _____ BOUNDARY LINE & CORNER POND (AS DESCRIBED)
SP _____ POWER POLE SET (5/8" REDUC.)
_____ ADJACENT BOUNDARY LINE
_____ RIGHT OF WAY LINE
_____ EASEMENT LINE (AS DESCRIBED)
_____ CENTERLINE
_____ PHASE LINE
- JURISDICTIONAL WETLANDS
- POWER POLE
GUY WIRE
UTILITY POLE
HOMESOWNERS ASSOCIATION
CITY OF CHARLESTON EASEMENT
STREET ADDRESS
- N
E
W
N
O
D.C.
60000

BY THE RECORDING OF THIS PLAT AND UPON THE APPROVAL AND ACCEPTANCE BY THE CITY COUNCIL OF CHARLESTON, I HEREBY DEDICATE ALL ROADS, ROAD RIGHTS-OF-WAY AND EASEMENTS TO THE USE OF THE PUBLIC FOREVER.

OWNER/REPRESENTATIVE:
PULTE HOME COMPANY, LLC, 1/1/00
PULTE HOME CORPORATION

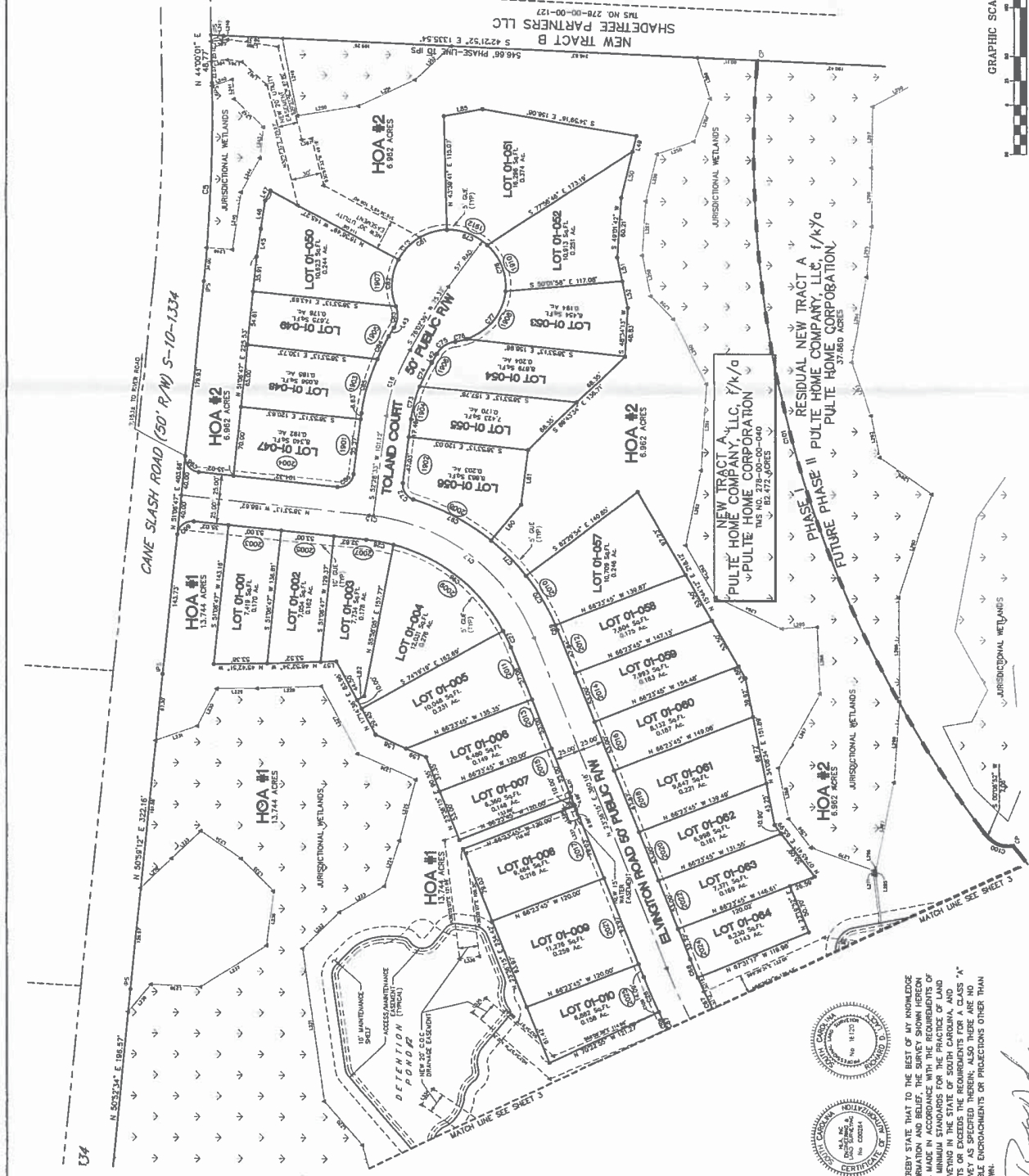
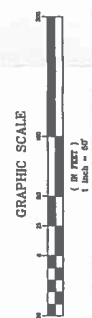
PLAT SHOWING
THE SUBDIVISION OF NEW TRACT A
TMS NO. 278-00-00-040 (82.477 ACRES)
INTO
OAKFIELD PHASE I (44.612 ACRES)
(FORMERLY KNOWN AS FRED)
CONTAINING
LOTS 1 THROUGH 86 (16.452 AC.),
RIGHT-OF-WAYS (4.583 AC.)
AND SHOWING
HOMEOWNERS ASSOCIATION AREAS (23.577 AC.)
RESIDUAL NEW TRACT A (37.860 AC.)

LOCATED IN
THE CITY OF CHARLESTON
CHARLESTON COUNTY
SOUTH CAROLINA
DATE: SEPTEMBER 27, 2016
SCALE: 1" = 50'

27, 2016
SHEET 2 OF 4

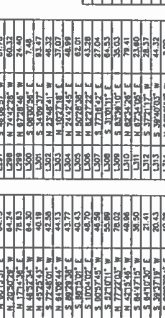
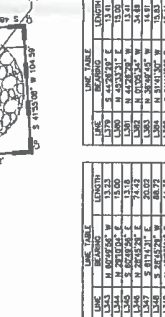
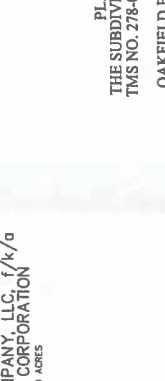
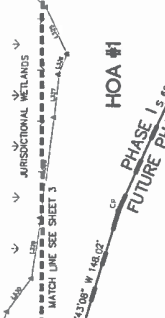
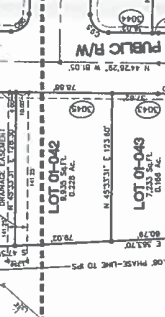
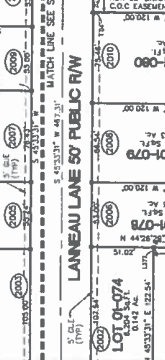
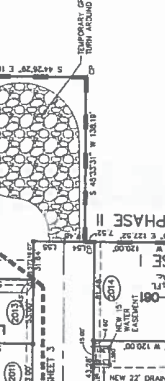
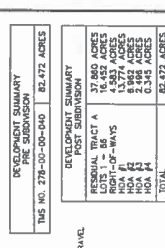
HLA INC

29 Leisbach Drive, A2, Charleston SC 29407-6988
tel: 843.763.1166 fax: 843.763.1909 web: www.hleinc.com



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

RICHARD D. LACEY S.C.P.L.S. 16126



LAND PLANNING LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING SURVEYING
Drive, A2, Charleston SC 29407-6908
fax: 843.763.1909 web: www.hblinc.com
0207520P/USE1-FINAL-JPLT 02/07/98

(36 FEET)
1 inch = 50'

1374	5	0115 41	£	10.00
1375	5	4437 15	£	48.50
1376	8	4422 52	W	84.00
1377	5	4517 52	W	10.00
1378	8	3137 18	£	24.25

13.36	5	2,326.15	W	13.00
13.38	5	1,673.45	W	10.03
13.39	5	1,673.45	W	10.03
13.40	5	50,76.30	W	54.07
13.41	5	85,13.50	W	20.00
13.42	5	54,76.30	W	34.07
				4.47


WARD D. LACEY S.C.P.L.S-16120

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF CHARLESTON)

EXCLUSIVE STORM
WATER DRAINAGE
EASEMENTS
CITY OF CHARLESTON

This Agreement is made and entered into this ____ day of _____ 20__, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the “City”), and Pulte Home Company, LLC, f/k/a Pulte Home Corporation (herein the “Owner”).

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of property identified by and designated as Charleston County tax map number 278-00-00-040 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or D.E.) as such are identified on the above referenced portion of property and which are more fully shown on that certain plat entitled:

“PLAT SHOWING THE SUBDIVISION OF NEW TRACT A TMS NO. 278-00-00-040 (82.472 ACRES) INTO OAKFIELD PHASE I (44.612 ACRES) (FORMALLY KNOWN AS SHADE TREE) CONTAINING LOTS 1 THROUGH 86 (16.452 AC.), RIGHT-OF-WAYS (4.583 AC.), HOMEOWNERS ASSOCIATION AREAS (23.577 AC.) AND SHOWING RESIDUAL NEW TRACT A (37.860 AC.) PROPERTY OF PULTE HOME COMPANY, LLC, F/K/A PULTE HOME CORPORATION LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA”

Prepared and executed by HLA, Inc. dated September 27, 2016,
revised on _____, and recorded on _____ in Plat
Book _____ at Page _____ in the RMC Office for Charleston County, South Carolina (herein the "Plat").

A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: Laura Cabiness

Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

OWNER:

Witness #1

Name: _____

Witness #2

STATE OF South Carolina)

COUNTY OF Charleston)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Matthew Raines, the Vice President of Land Development, a _____, on behalf of the Owner on _____.

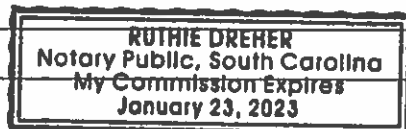
Signature: Ruthie Dreher

Print Name of Notary: Ruthie Dreher

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY





TITLE TO REAL ESTATE

Page 1 of 2

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 13th day of March 2017.

SIGNED, SEALED AND DELIVERED

IN THE PRESENCE OF:

[Signature]
Witness Number One

Scott Utsey
Printed Name

[Signature]
Witness Number Two

Alex Weber
Printed Name

Grantor
[Signature]
Printed Name MATTHEW RAINES
Vice President

STATE OF South Carolina)
COUNTY OF Charleston)

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by Matthew Raines, the VP of Land of Pulte Home Company LLC, a —, on behalf of the Grantor on the 13th day of March, 2017..

Signature of Notary: [Signature]

Print Name of Notary: Donna J. Wilkinson

Notary Public for South Carolina

My Commission Expires: 2/2/22

SEAL OF NOTARY

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Pulte Home Company, LLC, f/k/a Pulte Home Corp. to CITY OF CHARLESTON on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) ☒ exempt from the deed recording fee because (See Information section of affidavit): #2 (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

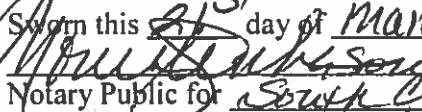
Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____.
 - (B) _____ The fee is computed on the fair market value of the realty which is _____.
 - (C) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.
5. Check YES _____ or NO _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as GRANTOR.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.


Responsible Person Connected with the Transaction

Matthew RAINES
Print or Type Name Here Vice President

Sworn this 21st day of March 2017

Notary Public for South Carolina
My Commission Expires: 2/22, 2022



NOTES

1. AREA DETERMINED BY THE COORDINATE METHOD.
2. THE NO. 278-00-00-034, 040 AND 041 ARE LOCATED IN FLOOD ZONE 1, AS PER FEMA MAP NUMBER 45010C0600, COMMUNITY PANEL 155413 0860-1.
3. THE NO. 278-00-00-041 IS LOCATED IN FLOOD ZONE 1, AS PER FEMA MAP NUMBER 45010C0600, COMMUNITY PANEL 155413 0860-1.
4. FLOOD ZONE 1 HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
5. FLOOD ZONE 1 IS DEDICATED AS AREAS OF 500-YEAR FLOOD, AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR PROTECTED BY LEVEES FROM 100-YEAR FLOOD.
6. HOA AREAS WILL BE DEDICATED TO AND OWNED BY A NEIGHBORHOOD WATER SYSTEM.
7. ALL SET PROPERTY CORNERS ARE TO BE 5/8" REBAR.
8. HOA AREAS WILL BE DEDICATED TO AND OWNED BY A NEIGHBORHOOD WATER SYSTEM.
9. LARGEST LOT - LOT 04-056 (131,068 S.F. 0.302 AC.)
10. SMALLEST LOT - (16,948 S.F. 0.387 AC.)

NOTES

1. THE ACCESS EASEMENTS SHOWN ARE DEDICATED TO THE CITY OF CHARLESTON FOR ACCESS TO THE STORMWATER MANAGEMENT FACILITY, THE LOW-TOPOGRAPHY AREAS OF THE PROJECT, AND THE RESPONSIBILITY OF THE PARCELS OR THE HOMEOWNERS TO MAINTAIN THE STORMWATER MANAGEMENT FACILITIES.
2. THE ACCESS EASEMENTS SHOWN ARE DEDICATED TO THE CITY OF CHARLESTON FOR ACCESS TO THE STORMWATER MANAGEMENT FACILITY, THE LOW-TOPOGRAPHY AREAS OF THE PROJECT, AND THE RESPONSIBILITY OF THE PARCELS OR THE HOMEOWNERS TO MAINTAIN THE STORMWATER MANAGEMENT FACILITIES.
3. THE ACCESS EASEMENTS SHOWN ARE DEDICATED TO THE CITY OF CHARLESTON FOR ACCESS TO THE STORMWATER MANAGEMENT FACILITY, THE LOW-TOPOGRAPHY AREAS OF THE PROJECT, AND THE RESPONSIBILITY OF THE PARCELS OR THE HOMEOWNERS TO MAINTAIN THE STORMWATER MANAGEMENT FACILITIES.

FLOOD ZONE NOTE

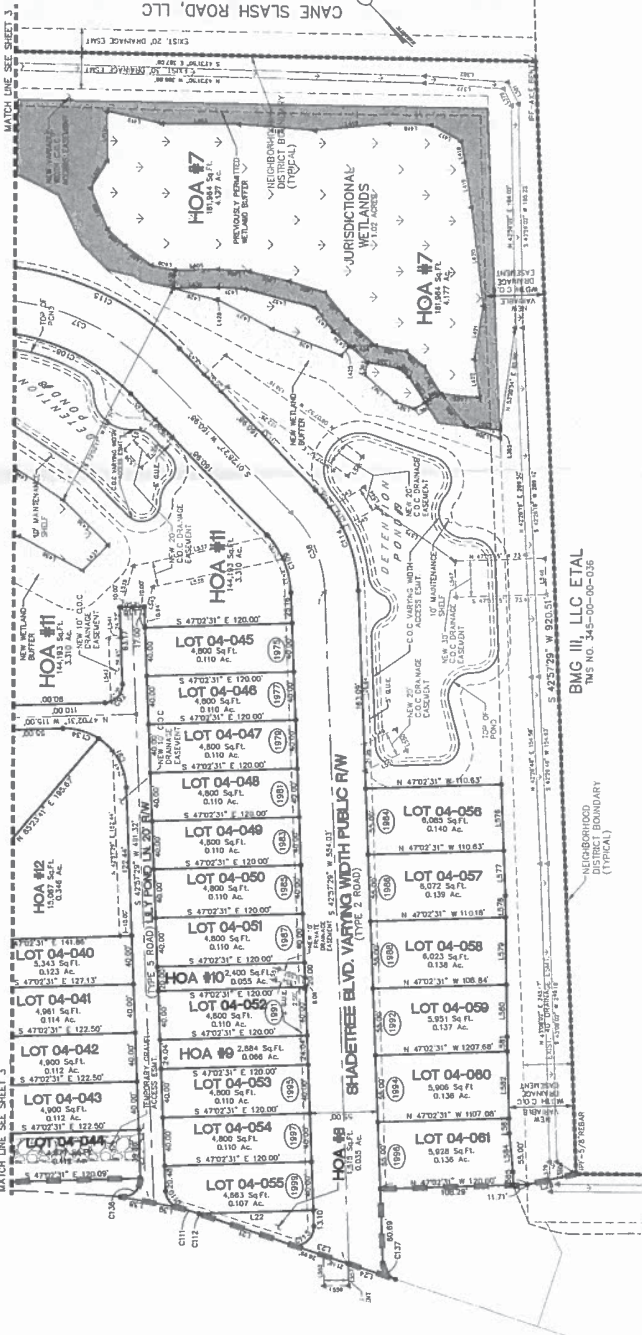
THIS NO. 278-00-00-034, 040 AND 041 ARE LOCATED IN FLOOD ZONE 1, AS PER FEMA MAP NUMBER 45010C0600, COMMUNITY PANEL 155413 0860-1. THIS NO. 278-00-00-041 IS LOCATED IN FLOOD ZONE 1, AS PER FEMA MAP NUMBER 45010C0600, COMMUNITY PANEL 155413 0860-1. FLOOD ZONE 1 HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

REFERENCES

1. PLAT BY JOSEPH H. WILLIAMS & DATED MAY 25, 1983, RECORDED IN TMS NO. 278-00-00-034.
2. PLAT BY J. C. HARRIS DATED JUNE 24, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
3. PLAT BY J. C. HARRIS DATED JUNE 24, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
4. PLAT BY M. L. DELAND DATED JUNE 24, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
5. PLAT BY JOSEPH G. DEAN DATED MAY 30, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
6. PLAT BY MARK W. DUD DATED NOVEMBER 18, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
7. PLAT BY MARK W. DUD DATED NOVEMBER 18, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
8. PLAT BY MARK W. DUD DATED NOVEMBER 18, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
9. PLAT BY MARK W. DUD DATED NOVEMBER 18, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
10. PLAT BY MARK W. DUD DATED NOVEMBER 18, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
11. PLAT BY MARK W. DUD DATED NOVEMBER 18, 1986, RECORDED IN PLAT BOOK 17, PAGE 287, CHARLESTON COUNTY REC.
12. DEED RECORDED IN DEED BOOK 172, PAGE 87, CHARLESTON COUNTY REC.

LOCATION MAP

NOT TO SCALE



TMS NO. 345-00-00-001

BMG III, LLC ETAL
TMS NO. 345-00-00-036

SEE SHEETS FOR CURVE AND LINE TABLES

BY THE RECORDING OF THIS PLAT AND UPON THE BASIS OF THE INFORMATION HEREON, I HEREBY DEDICATE ALL RIGHTS OF WAY, EASEMENTS, AND INTERESTS TO THE USE OF THE PUBLIC-HIGHWAY.

OWNER/REPRESENTATIVE:
PULTE HOME COMPANY, LLC
PULTE HOME CORPORATION



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT OF 1968, AND THAT THE SURVEYING IN THIS STATE OF SOUTH CAROLINA MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS DESCRIBED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

RICHARD D. LACEY S.C.P.L.E. 16120

- # LEGEND
- BOUNDARY LINE & 4" x 4" CONC. MONUMENT
 - BOUNDARY LINE & CORNER FOUND (AS DESCRIBED)
 - BOUNDARY LINE & CORNER SET (5/8" REBAR)
 - PHASE LINE AND CALCULATED POINT
 - ADJACENT BOUNDARY LINE
 - RIGHT OF WAY LINE
 - EASEMENT LINE (AS DESCRIBED)
 - CENTERLINE
 - NEIGHBORHOOD DISTRICT LIMITS
 - PHASE LIMITS
 - PREVIOUSLY PERMITTED WETLAND FILL
 - NEW WETLAND BUFFER (25' AVG.)
 - POWER POLE
 - UTILITY POLE
 - HOMEOWNERS ASSOCIATION
 - CITY OF CHARLESTON EASEMENT
 - GENERAL UTILITY EASEMENT
 - STREET ADDRESS

PLAT SHOWING
THE SUBDIVISION OF
TRACT D-1, TMS NO. 278-00-00-043 (87,797 AC.)
INTO
OAKFIELD PHASE 4 (37,895 AC.)
(FOR THE CITY OF CHARLESTON)

CONTAINING
COMMERCIAL OUTPARCEL (1.381 AC.),
LOTS 1 THROUGH 61 (8,796 AC.),
RIGHT-OF-WAYS (175 AC.),
HOMEOWNERS ASSOCIATION AREAS (20,858 AC.)
AND SHOWING
RESIDUAL TRACT D1 (49,902 AC.)
PREPARED FOR
PULTE HOME COMPANY, LLC, P/LC/a
LOCATED IN
THE CITY OF CHARLESTON
CHARLESTON COUNTY SOUTH CAROLINA
DATE: NOVEMBER 11, 2016 SCALE: 1" = 80'



HILAINC
SHEET 4 OF 5
LAND PLANNING LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING SURVEYING
20 Lashburn Drive, A3, Charleston, SC 29407-6988
tel: 843.763.1166 fax: 843.763.1999 web: www.hilainc.com

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF CHARLESTON)

**EXCLUSIVE STORM
WATER DRAINAGE
EASEMENTS
CITY OF CHARLESTON**

This Agreement is made and entered into this ____ day of _____ 20__, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the “City”), and Pulte Home Company, LLC, f/k/a Pulte Home Corporation (herein the “Owner”).

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of property identified by and designated as Charleston County tax map number 278-00-00-043 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or D.E.) as such are identified on the above referenced portion of property and which are more fully shown on that certain plat entitled;

“PLAT SHOWING THE SUBDIVISION OF TRACT D-1, TMS NO. 278-00-00-043 (87.797 AC.) INTO OAKFIELD PHASE 4 (37.895 AC.) (FORMALLY KNOWN AS SHADE TREE) CONTAINING COMMERCIAL OUTPARCEL (1.381 AC.), LOTS 1 THROUGH 61 (8.796 AC.), RIGHT-OF-WAYS (6.705 AC.), HOMEOWNERS ASSOCIATION AREAS (20.858 AC.) AND SHOWING RESIDUAL TRACT D-1 (49.902 AC.) PREPARED FOR PULTE HOME COMPANY, LLC, F/K/A PULTE HOME CORPORATION LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA”

Prepared and executed by HLA, Inc. dated November 23, 2016,
revised on _____, and recorded on _____ in Plat
Book _____ at Page _____ in the RMC Office for Charleston County, South Carolina (herein the "Plat").

A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: Laura Cabiness
Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

OWNER:

Witness #1

Name: MATTHEW RAINES

Witness #2

STATE OF South Carolina)
COUNTY OF Charleston)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Matthew Raines, the V.P. of Land of Pulte Homes Company LLC, on behalf of the Owner on March 13, 2017

Signature: Donna J. Wilkenson

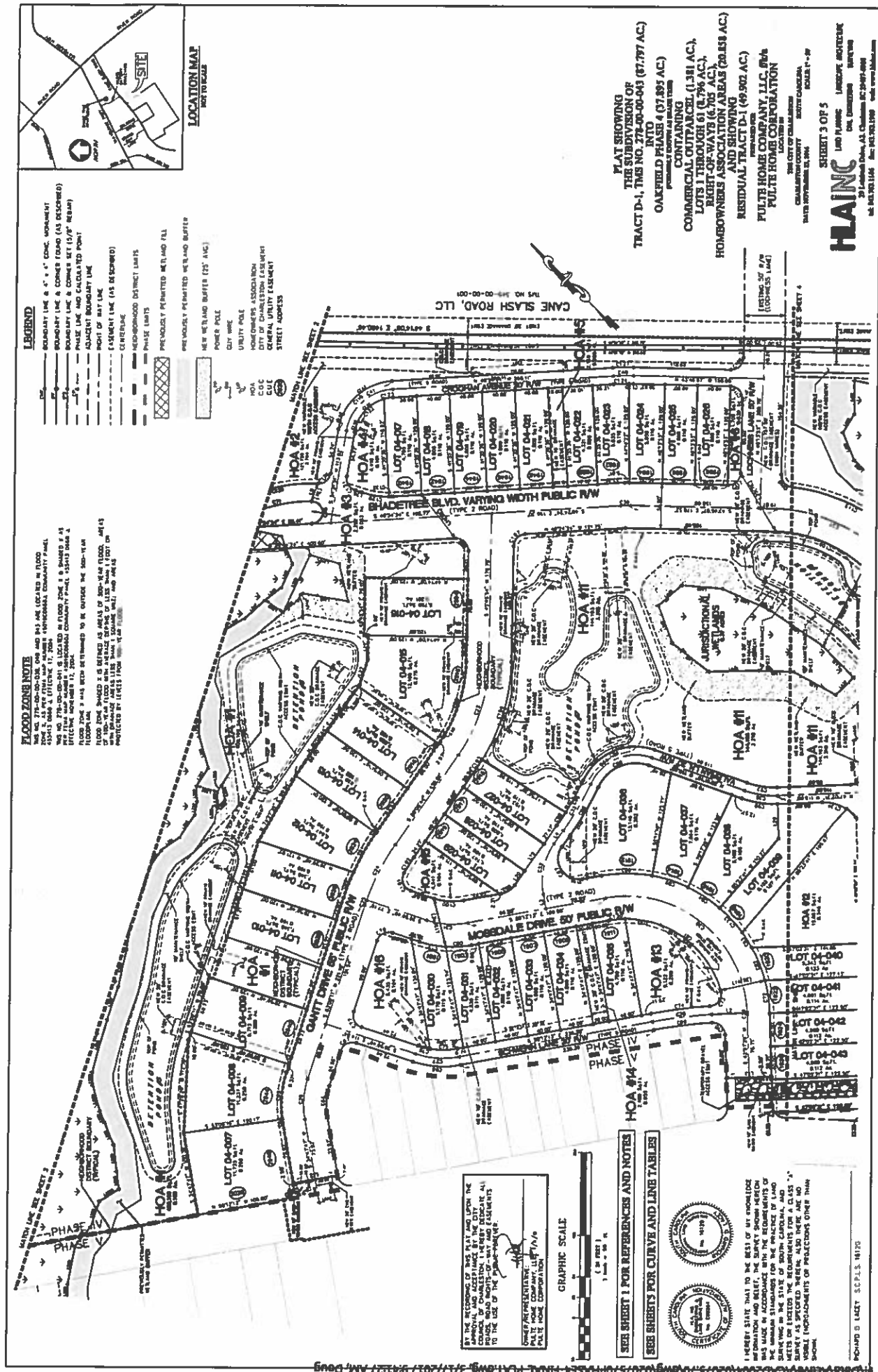
Print Name of Notary: Donna J. Wilkenson

Notary Public for South Carolina

My Commission Expires: 2/2/20

SEAL OF NOTARY





1. 2nd, 3rd, 27th, 28th, 29th, 30th, 31st and 32nd are located in Flood Zone A, and are not subject to any special community zoning.
2. 2nd, 3rd, 27th, 28th, 29th, 30th, 31st and 32nd are located in Flood Zone A, and are subject to any special community zoning.
3. 2nd, 3rd, 27th, 28th, 29th, 30th, 31st and 32nd are located in Flood Zone A, and are subject to any special community zoning.
4. 2nd, 3rd, 27th, 28th, 29th, 30th, 31st and 32nd are located in Flood Zone A, and are subject to any special community zoning.
5. 2nd, 3rd, 27th, 28th, 29th, 30th, 31st and 32nd are located in Flood Zone A, and are subject to any special community zoning.
6. 2nd, 3rd, 27th, 28th, 29th, 30th, 31st and 32nd are located in Flood Zone A, and are subject to any special community zoning.
7. 2nd, 3rd, 27th, 28th, 29th, 30th, 31st and 32nd are located in Flood Zone A, and are subject to any special community zoning.

[illegible][illegible]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
84

2. 0019 INCLINER 00 0019 0000 07L PAGE 07. CONTINUATION PLANTY INC.

[illegible]

SEE SHEETS FOR CURVE AND LINE TABLES

BY THE RECORDING OF THIS PLAT AND UPON THE
APPROVAL AND ACCEPTANCE BY THE CITY
COUNCIL OF CHARLESTON, I HEREBY DEDICATE ALL
ROADS, HOADS, RIGHTS-OF-WAY AND EASEMENTS
TO THE USE OF THE PUBLIC-HEREBY.


[Signature]

DWIGHT W. PRESENTING,
PULTE HOME COMPANY, LLC
PULTE HOME CORPORATION

PLAT SHOWING
 THE SUBDIVISION OF
 TRACT D-1, TMS NO. 27E-00-00-043 (ST.797 AC.)
 INTO
 OAKFIELD PHASE 4 (37.895 AC.)
 (PREVIOUSLY EXCEPTED AS MAJOR TRACTS)
 CONTAINING
 COMMERCIAL OUTPARCEL (1.381 AC.),
 LOTS 1 THROUGH 61 (8.796 AC.),
 RIGHT-OF-WAYS (6.705 AC.)
 HOMEOWNERS ASSOCIATION AREAS (20.838 AC.)
 AND SHOWING
 RESIDUAL TRACT D-1 (49.902 AC.)
 PRELIMINARY PLAN
 PULTE HOME COMPANY, I.L.C., 60%
 PULTE HOME CORPORATION
 LOCATED IN
 THE CITY OF CHICAGO, ILL.
 CHALMERS SECURITIES, INC. 100%
 CHALMERS SECURITIES, INC. 100%
 DATED NOVEMBER 18, 1994
 SCALE: 1" = 30'

HLA INC
SHEET 4 OF 5
LAW PLANNING ESTATE PLANNING LITIGATION PROBATE
ON DOMESTIC SURVIVORS
29 Litchfield Drive, A-1, Chesham, NJ 07017-4002
tel 908.763.1116 fax 908.763.1789 web www.hla.com

GRAPHIC SCALE



(IN FEET)

785



02101 ST. PETERS AVE. S. SEPT 15 19120

STATE OF SOUTH CAROLINA)
)
)
)
COUNTY OF CHARLESTON)
)
)
)

**EXCLUSIVE STORM
WATER DRAINAGE
EASEMENTS
CITY OF CHARLESTON**

This Agreement is made and entered into this 27th day of February 2017, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and Bubsy, LLC (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of _____ property identified by and designated as Charleston _____ County tax map number 418-11-00-034 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of _____ the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or D.E.) as such are identified on the above referenced portion of property and which are more fully shown on that certain plat entitled;

“PLAT SHOWING A NEW 18' DRAINAGE EASEMENT ON TMS # 418-11-00-034 (PREVIOUSLY PLATTED AS LOTS 336, 337, 390 AND 391)”

Prepared and executed by Daniel C. Forsberg dated July 13, 2016,
revised on Feb 15, 2017, and recorded on _____ in Plat
Book _____ at Page _____ in the RMC Office for Charleston _____, South Carolina (herein the "Plat").

A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: Laura Cabiness
Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

Witness #1

Witness #2

OWNER:

Name:

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Perry K. Waring, the owner of Bubsy LLC of Charleston, SC, a _____, on behalf of the Owner on 02/27/2017.

Signature: A. Borneo

Print Name of Notary: ANTHONY B. D'NEILL

Notary Public for SOUTH CAROLINA

My Commission Expires: 9/18/2025

SEAL OF NOTARY

